



Paper No. 10

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**OFFICE OF PETITIONS**

In re Application of  
Dijjeet Singh Athwal, et al  
Application No. 09/875,221  
Filed: June 6, 2001  
Attorney Docket No. CARP-0089

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**DECISION GRANTING PETITION**

This is a decision on the petition filed February 4, 2002, under 37 CFR 1.10(c), requesting that the above-identified application be accorded a filing date of June 6, 2001, instead of the presently accorded date of October 18, 2001.

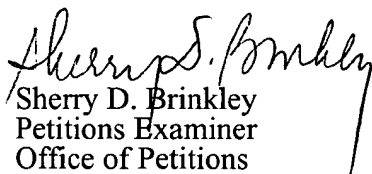
Petitioner alleges that the application was deposited in "Express Mail" service with the U. S. Postal Service, on June 6, 2001. In support, petitioners provide a copy of the Express Mail label, receipt no. EL827224012US. The same Express Mail receipt number was referred to in the original transmittal letter found in the file.

The Office considers the date the paper or fee is shown to have been deposited as "Express Mail" to be the "Date In" on the Express Mail label, MPEP 513. That is the date that verifies that the package was actually mailed. The evidence is convincing that the application was deposited as "Express Mail" with the US Postal Service on July 24, 2001.

The petition is granted.

The application is being returned to Initial Patent Examination Division for correction of the filing date to **June 6, 2001**.

Telephone inquiries related to this decision should be directed to the undersigned at (703) 305-9220. Telephone inquiries related to OIPE processing should be directed to their hotline at (703) 308-1202.



Sherry D. Brinkley  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy